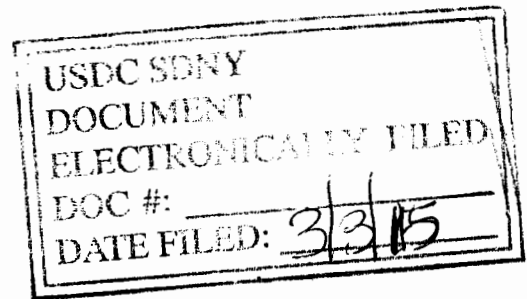


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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DEUTSCHE ZENTRALGENOSSENSCHAFTSBANK
AG, NEW YORK BRANCH, d/b/a DZ BANK AG,
NEW YORK BRANCH; DEUTSCHE
GENOSSENSCHAFTS-HYPOTHEKENBANK AG; and
DG HOLDING TRUST,

Plaintiffs,

13 Civ. 393

-against-

OPINION

BANK OF AMERICA CORPORATION; BANK OF
AMERICA, N.A.; COUNTRYWIDE FINANCIAL
CORPORATION; COUNTRYWIDE SECURITIES
CORPORATION; COUNTRYWIDE CAPITAL
MARKETS, LLC; MERRILL LYNCH & CO.,
INC.; MERRILL LYNCH, PIERCE, FENNER &
SMITH, INC. (f/k/a BANC OF AMERICA
SECURITIES LLC); MERRILL LYNCH
MORTGAGE INVESTORS, INC.; CREDIT-BASED
ASSET SERVICING AND SECURITIZATION
LLC; and ASSET BACKED FUNDING
CORPORATION,

Defendants.

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A P P E A R A N C E S:

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Sweet, D.J.

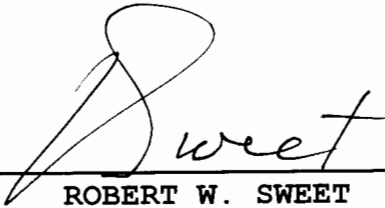
Defendants, through a letter application pursuant to Rule for the Division of Business Among District Judges of the Southern District of New York ("RDB") 13, request that this action be reassigned to the Honorable Lewis Kaplan as related to IKB International S.A. in Liquidation v. Bank of America Corp., 12 Civ. 4036 ("IKB Case").

Under RDB 13(a)(2), "[c]ivil cases shall not be deemed related merely because they involve common legal issues or the same parties" and "civil cases presumptively shall not be deemed related unless both cases are pending before the Court (or the earlier case is on appeal)." The IKB Case was decided by Judge Kaplan and affirmed by the Second Circuit. See Fed. App'x 26 (2d Cir. 2014). Plaintiffs' deadline to file a writ of certiorari has expired. Consequently, both cases are no longer pending before the Court.

Having considered Defendants' arguments, the Court finds that the cases are not related. Defendants' application is denied and the current case will not be reassigned.

It is so ordered.

New York, NY
February 28, 2015



ROBERT W. SWEET
U.S.D.J.